

AUG 27 2007

Application No. 10/803,026

REMARKS

Claims 28-39 are pending in this application. Claims 32-39 are withdrawn from consideration.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Menon in the August 17, 2007 interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

I. **Guile**

Claims 28-31 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or in the alternative under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,716,899 (Guile). Applicants respectfully traverse this rejection.

Guile does not teach or suggest each and every limitation of the method recited in claim 28 and therefore fails to anticipate the claims.

The Office Action alleges that calculating a value relating to water absorption ability and recording such a value based on the calculation is implied in Guile and further alleges that one would have calculated the absorption ability from the collected data. Applicants disagree.

Guile does not teach or suggest a method of measuring a value related to water absorption ability of a diesel particulate filter including a calculation based upon the measured absorption of a material as required in the present claims. Guile merely teaches that the efficiency of hydrocarbon adsorption is measured by passing the appropriate gas mixture through the sample. See column 13, line 67 through column 14, line 24 of Guile. Contrary to the Office Action's allegations, Guile does not teach or suggest the calculation and recordation recited in claim 28.

The Office Action next alleges that the value relating to water vapor adsorption ability is based on an assumption that hydrocarbon adsorption is the same as, or related to, water

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vapor adsorption and that such an assumption is not a tangible process step. Applicants submit that any allegation that a process step is not patentable is inappropriate. However, to expedite prosecution of this application, Applicants will address the allegation.

Applicants submit that calculations are patentable so long as they produce a useful, concrete and tangible result. *State Street Bank and Trust, v. Signature Financial Group, Inc.*, 38 U.S.P.Q.2d,1530, 1601 (D. Mass 1996). A relationship exists between the measured value relating to the water absorption ability and the material absorbed in step (i) of claim 28. See paragraphs [0045] and [0047] of the specification. The value relating to the water absorption obtained by the calculation is a useful, concrete and tangible result. Applicants submit that recording the correlation of water absorption ability to the material absorbed in step (i) of claim 28 is at least as useful, concrete and tangible of a result as recording and reporting a calculated stock price as in *State Street*.

For at least the foregoing reasons, Guile does not teach or suggest the features recited in claims 28-31. Reconsideration and withdrawal of the rejection are thus respectfully requested.

II. Dahlgren

Claims 28-30 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,143,058 (Dahlgren). Applicants respectfully traverse this rejection.

The Office Action alleges Dahlgren teaches a method of measuring water vapor or steam adsorption on a porous cell structure using a balance and a temperature and humidity controlled chamber. The Office Action further alleges that the humidity of the chamber is inherently maintained by feeding moisture-laden air into the chamber or that such feeding is implied. Applicants disagree.

Applicants submit that the Patent Office is confusing feeding moisture into a static chamber as taught by Dahlgren, and feeding moisture through the honeycomb structure as

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recited in the present claims. In the equilibrium environment taught by Dahlgren, the system is allowed to reach equilibrium with the only motive pressure being the partial pressure of water vapor in air at atmospheric pressure. See column 12, lines 20-27 of Dahlgren. In other words, Dahlgren does not teach or suggest that feeding the material comprises applying a pressure to the material as required in claim 28. One of ordinary skill in the art would immediately appreciate that the adsorption of water vapor being forced through a honeycomb structure would have motive pressure forcing the water vapor through the pores in addition to the partial pressure of water in air as in Dahlgren.

In view of the difference between forcing water vapor through a material by applying a pressure, as recited in claim 28, and allowing water vapor to come to equilibrium based on the temperature and relative humidity in a static chamber, as taught by Dahlgren, Applicants submit that Dahlgren does not teach or suggest all of the features of the method recited in claim 28.

For at least the foregoing reasons, Dahlgren does not teach or suggest the features recited in claims 28-30. Reconsideration and withdrawal of the rejection are thus respectfully requested.

III. Chang

Claims 28-30 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or in the alternative under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Publication No. 2002/0025290 (Chang). Applicants respectfully traverse this rejection.

The Office Action alleges that Chang teaches a method of measuring adsorption of CO₂ and water vapor over a porous adsorbent. Applicants disagree with the Office Action's allegation that Chang teaches all of the features recited in claims 28-30.

Chang does not teach or suggest each and every feature of the method recited in claim 28 and therefore fails to anticipate or render obvious the claims. Specifically, Chang does not

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teach or suggest a calculation based on the amount of material absorbed in the feeding step (i) of claim 28 as required. Instead, Chang measures the mass of water adsorbed, but makes no calculation based upon an amount of material being absorbed during the feeding. See Example 30 of Chang. Thus, Chang cannot teach the calculation and recitation required in claim 28.

For at least the foregoing reasons, Chang does not teach or suggest each and every feature recited in claims 28-30. Reconsideration and withdrawal of the rejection are thus respectfully requested.

IV. Rejoinder

Applicants submit that upon allowance of the elected claims, withdrawn claims 32-39 should be rejoined with the application and similarly allowed because each of claims 32-39 directly or indirectly depends from claim 28.

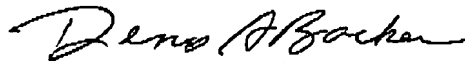
V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 28-39 are earnestly solicited.

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Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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